

## The complaint

Mr F complains Starling Bank Limited recorded a marker against him on a fraud database. He doesn't think it's treated him fairly.

## What happened

A summary of what happened is below.

Mr F received a large payment into his Starling account through a bank transfer in July 2023. However, the payment was later reported to Starling by another bank as being the result of a scam.

Starling restricted the account and requested information to support why Mr F had been entitled to the funds. He said he owned an Airpod reselling business, and the payment was in relation to that, and the account opened for this purpose.

Starling asked for some supporting information in relation to the payment. Mr F said the messages he had were on Snap chat and these disappeared after a day, so he didn't have anything to give it. Starling completed its review and decided to file a misuse of facility marker at Cifas, as it believed Mr F had been complicit in receiving fraudulent funds. It also closed the account. Mr F found out about the marker and asked Starling to remove it, submitting he was eighteen when this had happened and he'd been pressurised and manipulated by others into opening the account and accepting and withdrawing funds.

Starling reviewed the loading, but it didn't think it had made a mistake. Dissatisfied, Mr F contacted us and said the marker was affecting him financially and personally day to day and he wished to challenge the bank's decision because he didn't think it was proportionate.

One of our investigators reviewed the case and gathered some information. However, she didn't think Starling had done anything wrong in taking the steps it had, noting Mr F had no evidence to support any involvement and coercion by third parties and he'd also acknowledged retaining £100 of the funds. Therefore, directly benefitting from what had been reported as illegitimately obtained monies. The investigator didn't find any error by the bank in closing the account either.

Mr F disagreed with the outcome and asked for his case to be passed to an ombudsman. In doing so, he said:

- He was 18 years old when he'd been pressured and manipulated.
- He did not knowingly commit fraud or intend to benefit from it — the £100 he mentioned was given to him by those who pressured him after he withdrew the money, not as a profit from wrongdoing.
- He'd cooperated fully with Starling at the time but was unable to provide screenshots because the people involved used disappearing messages.
- He didn't believe his age, vulnerability, and lack of criminal intent had been given sufficient weight.

## **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Both parties will be familiar with the requirements for recording fraud markers of this nature, so I'm not going to repeat that here. Indeed, the relevant tests were documented in our investigator's outcome letter.

Starling placed a Cifas marker on Mr F's record because it felt it had enough evidence. I've reviewed what happened and I've taken into account what Mr F has said about his age and being pressured. But I don't have enough evidence that he acted out of duress. Conversely, what the bank has in its possession is a compelling fraud report and Mr F declaring the transaction legitimately related to business activities. There simply isn't any direct evidence where I could say Mr F did something he wasn't willing to do. When Starling contacted him in 2023 about the payment, he was given a fair opportunity to respond but he didn't mention any third-party involvement and pressure when questioned. Overall, the circumstances suggest to me that Mr F knew more than he was willing to say, which also reasonably points to him being complicit in what was going on, particularly as he was paid for his participation.

I know Mr F is upset his record has been affected. And that he has asked me to consider he was 18 at the time. But I don't think Starling acted unfairly when it recorded information on the Cifas database and closed the account (for completeness there's provision for that in the account agreement).

Taking the matter as a whole, I don't think it would be fair for me to require Starling to remove the information. I appreciate that my decision will come as a great frustration and disappointment to Mr F. But for the reasons set out above, I don't uphold this complaint.

### Notes

I know Mr F has already been in contact with Cifas before, but he should try contacting it again to find out exactly when his marker will expire.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 3 March 2026.

Sarita Taylor  
**Ombudsman**